(1)

Supreme Court, U.S.
FILED

No. 031462 APR 0 2004

IN THE

SUPREME COURT OF THE UNITED STATES

PATRICK ANENE EGBUNE,
Petitioner,

v.

STATE OF COLORADO,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE COLORADO SUPREME COURT

PETITION FOR WRIT OF CERTIORARI

Patrick Anene Egbune
818 South Chambers Road, #302
Aurora, Colorado 80017
(303)745-7519

QUESTIONS PRESENTED

1. Whether the Supreme Court of the State of Colorado and the disciplinary judge operating under it, violated the due process and the equal protection clauses of the 14th Amendment to the United States Constitution when the disciplinary judge dismissed Patrick Anene Egbune's petition for reinstatement to active practice of law, on the ground of failure to demonstrate "rehabilitation"and provide medical report to office of attorney regulation when he is not in practice of law

2. Whether the Supreme Court of the State of Colorado and the disciplinary judge operating under it and other offices, the police and the lower courts, violate the law when they use state power, police power and force to lie, submit false concocted statements to court to incriminate petitioner so as to suspend him from the practice of law and deny him reinstatement rights to practice law, and further, use discriminatory methods to deny petitioner the right to practice law in violation of due process and the equal protection clauses of the 14th Amendment to the United States Constitution.

3. Whether the requirement of rehabilitation as provided in C. R. C. P. Rule 251.29(b) and construed by the Hearing Board, in all issues concerning the Petitioner, is arbitrary and capricious for failure to specify a rehabilitation program that would indeed satisfy a hearing board's requirement, in violation of the due process clause of the 14th Amendment to the United States Constitution.

4. Whether the "rehabilitation"requirement as a condition for reinstatement of an attorney under suspension in Colorado, as provided in C. R. C. P. 251.29(b) and construed by the Hearing Board, is vague, thus violates due process clause of the 14th Amendment to the United States Constitution.

5. Whether a demand of quarterly report of Petitioner's medical review when the Petitioner is not practicing law, by the Office of Attorney Regulation, is so intrusive and unnecessary as to violate due process of law pursuant to the 14th Amendment to the United States Constitution and Petitioners's right of privacy.

6. Whether Petitioner is denied Equal Protection of the Laws, and due process of law, pursuant to the 14th Amendment to the United States Constitution, by the demands of the Office of Attorney Regulation.

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Appendix C	Letter from petitioner, Patrick Anene Egbune to James S. Sudler, Colorado Supreme Court, Attorney Regulation Counsel, dated June 7, 2003, (certified mail 7002 2030 0000 5194 1415), requesting information on what would satisfy "rehabilitation" requirement since there is no statute on the subject nor specific order as to what must be done to satisfy the requirement.
Appendix D	Reply letter dated June 10, 2003, from Colorado Supreme Court, Attorney Regulation Counsel, signed by James S. Sudler, Assistant Regulation Counsel.

The Petitioner, Patrick Anene Egbune, respectfully petitions for a writ of certiorari to review the judgment of the Supreme Court of Colorado and correct the fraud in Colorado judicial system, that the Petitioner has, in a pleading to the Colorado Supreme Court, referred to as a judiciary that is run as a "cult" - Facts are not followed, "facts" are fraudulently created, truth is suppressed and covered by spurious citation of authorities, evidence is established by concocted stories developed during sexual escapades, which is then justified by further citation of statute that allows witnesses, including police to lie. Petitioner, Patrick Anene Egbune, pleads that this honorable court after reviewing this petition to its conclusion, that a full and complete justifiable legal mandate be issued on this matter.

OPINIONS BELOW

The opinion of the highest state court to review, the Supreme Court of Colorado, affirming the order of a Hearing Board under the Supreme Court, appears at **Appendices A and B** and unpublished.

The order of the Supreme Court of Colorado suspending the Petitioner from the practice of law was published in the Pacific Reporter second, as shown below:

In re Egbune, 971 P. 2d 1065 (Colo. 1999)

Certiorari was denied in the above case filed in the October Term, 1998, case no. 98-1552 at

526 U. S. 1115 (1999)

A second petition for certiorari to the Supreme Court of

Colorado was filed in the October Term, 2001, case no. 01-661, Certiorari was denied

534 U. S. 1081 (2002)

STATEMENT OF JURISDICTION

The order sought to be reviewed was entered on February 6, 2004, by the Supreme Court of Colorado, Case No. 03-SA-169, affirming the decision of its disciplinary judge, Case No. 03-PDJ-029, being the summary dismissal of the Petition for Reinstatement. The order of the Supreme Court of the State of Colorado without opinion and the colloquy between the disciplinary judge and Petitioner, Patrick Anene Egbune that led to the dismissal of his petition, for failure to show evidence of "rehabilitation"at an issue hearing on May 27, 2003, appear in **Appendices A and B respectively.**

The jurisdiction of this Court is invoked under the provision of 28 U. S. C. § 1257 (a) for Petition of Certiorari to the Supreme Court of the State of Colorado concerning the Opinion and Order Denying Reinstatement, following completion of the period of Suspension from the practice of law, entered against Petitioner, Patrick Anene Egbune, on January 19, 1999.

No rehearing nor extension of time for filing of the petition for certiorari was requested.

This Petition for certiorari, does not challenge the constitutionality of any statute of Congress, therefore, the notification requirement of this Court's Rule 29.4(b) is not

required to be made.
This Petition for certiorari, does challenge the constitutionality of a State statute, viz.: State of Colorado's C. R. C. P. 251.29(b), however, the State of Colorado is a party to this action, thus, the notification requirement of this Court's Rule 29.4(c) is not required to be made.

CONSTITUTIONAL PROVISIONS, TREATIES, STATUTES, ORDINANCES, AND REGULATIONS INVOLVED IN THIS CASE

Section 1, 14th Amendment to the United States Constitution:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Colorado Rules of Civil Procedure.

C. R. C. P. 251.29(b), stating in part:

An attorney who has been suspended for a period longer than one year must file a petition with the Presiding Disciplinary Judge for reinstatement and must prove by clear and convincing

evidence that the attorney has been rehabilitated, has complied with all applicable disciplinary orders and with all provisions of this chapter, and is fit to practice law.

STATEMENT OF THE CASE

Petitioner, Patrick Anene Egbune was suspended from the practice of law by an order of the Supreme Court of Colorado, dated January 19, 1999. The order became effective on February 20, 1999. Patrick Anene Egbune filed a petition for certiorari to the United States Supreme Court, case no. **98-1552.** Certiorari was denied.

According to the order of suspension, the Petitioner, Patrick Anene Egbune was suspended for **one year and one day**. On or about August 20, 2000, the Petitioner was due to be reinstated. Petitioner filed a petition for reinstatement. The matter was set for hearing on November 6 and 7, 2000, to determining whether to reinstate Petitioner, Patrick Anene Egbune to the practice of law. Petitioner's petition was denied on the ground that he has not shown any evidence of rehabilitation and provided James Sudler his medical record while on suspension. Petitioner, Patrick Anene Egbune petitioned the Supreme of the United States for a writ of certiorari, case no. **01-661**. Certiorari was denied.

Under the law, Petitioner Patrick Anene Egbune has to wait for another two (2) years to reapply. Usually as reported by Jean Shama Nelson, the individual who accepts the homosexual program of the Supreme Court of Colorado would continue to practice law unchallenged. Patrick Anene Egbune refused to accept the homosexual and bisexual program of the Supreme Court of the State of Colorado.

In the November 6, 2000, hearing, the disciplinary Judge, Judge Keithley asked a psychiatrist, to explain why Patrick Anene Egbune would refuse their program in spite of the fact that others accepted it. The psychiatrist said that there is one clear explanation which is that Patrick Anene Egbune knows himself and who he is in and out.

In April 2003 Petitioner was due to apply for reinstatement to practice law. Petitioner filed his petition for

reinstatement and among other statements, stated that having considered the actual facts of the cases brought against him, that he possesses all the qualifications required of applicants for admission to Bar of Colorado, including the fact that he is a person of good moral character and has passed the Colorado Bar examination as require with an exclusive score in the multi-State segment of the exam of **154**.

The Petitioner attached Respondent's Responses to Request for Admission and Interrogatories and Respondent's Responses to Second Request for Admission and Interrogatory, which stand as evidence of compliance with all applicable disciplinary orders, as Exhibits 3 and 4, respectively.

Petitioner submits his record of continuing legal education and the fact that he reviews continuously all publications of the Colorado lawyer and the decisions published therein as evidence of professional competence.

The Petitioner submitted Exhibit 3 which shows the admission of the fact that all restitution ordered by the disciplinary judge and costs ordered against Petitioner have been paid. The Petitioner, Patrick Anene Egbune, prays that his license to practice law be reinstated.

On the issue of **rehabilitation,** Petitioner, Patrick Anene Egbune was told previously by **James S. Sudler**, the Assistant Regulatory counsel of the Supreme Court of the State of Colorado. to take a class, which he did and yet was not considered rehabilitation. In a telephone conversation, James S. Sudler had told Patrick Anene Egbune that he has already been advised as to what rehabilitation is and that Patrick Anene Egbune had refused to follow the process and that he does not believe that Patrick Anene Egbune would be reinstated if he does not listen to the suggestions of his friend Jean Shama Nelson (an attorney at the time of the advise). Petitioner, Patrick Anene Egbune told James S. Sudler that he would only comply if it is in writing.

On April 7, 2003 an "at issue" conference was had

concerning the Second Petition for Reinstatement. Petitioner, Patrick Anene Egbune's petition was dismissed on the ground that there was no showing of **rehabilitation.** Petitioner's demand for an explanation of rehabilitation was not granted. **APPENDIX B.** Based on the discussion with Jean Shama Nelson, James S. Sudler and what was said in the November 6, 2000 hearing about Petitioner's brother, it is Petitioner's opinion that **Rehabilitation**, **Amend** are euphemisms for homosexual and bisexual activities.

Whether Patrick Anene Egbune would provide James S. Sudler his medical information when he is not in practice of law, was also raised. Petitioner, Patrick Anene Egbune also had inquired as to how to cure the need to provide medical information when his medical doctor had informed James S. Sudler and the disciplinary court that Patrick Anene Egbune has no problem that would prevent him from practicing law. On the telephone, James S. Sudler, Assistant Regulatory Counsel stated that Petitioner knows that this was not a serious demand and that Patrick Anene Egbune should get involved with the "program". In **APPENDIX C** again, Patrick Anene Egbune inquired as to how he could cure the Attorney Regulatory office's need to have his medical report when he is not practicing law. No response was provided in **APPENDIX D**.

In his appeal to the Supreme Court of the State of Colorado, case no 03-SA-169, as decided in **APPENDIX A** without written opinion, Patrick Anene Egbune submitted the statement of the order of suspension of Patrick Anene Egbune by the Supreme Court of the State of Colorado dealing with the matter of providing Attorney Regulation his medical information:

> and mitigating factors, we conclude that a suspension for a year and a day, which carries with it the requirement that Egbune petition for reinstatement, is appropriate. Since he will be

> suspended for this period, and not a shorter one, we elect not to make the monitoring conditions included in the recommendation in No. 98SA120 mandatory at this time. When the respondent petitions for reinstatement, however, if the hearing board finds it appropriate, it may condition the respondent's reinstatement on his compliance with the monitoring of his practice.

James S. Sudler nor any member of the Supreme Court of the State of Colorado, Attorney Regulation office has never called or written a letter to Petitioner requesting any medical record while Petitioner was on suspension. See prior petitions for facts.

The Petition filed with the United States Supreme Court, case no. **03-1394**, where instrumentality of the State of Colorado is being used to create false criminal conviction against the Petitioner, Patrick Anene Egbune. This speaks volume and fully explains what Patrick Anene Egbune has been contending with, including attempt on his life. All Patrick Anene Egbune did, was say no to homosexual and bisexual behaviour. What exist here is a "cult" that is determined to use all powers in their disposal, including the powers of the state and may be nation, to do evil, unless one goes along with their "program".

The probable cause of Patrick Anene Egbune's persecution as alleged in case no. **03-1394**, may include the fact that Patrick Anene Egbune is not from Israel nor knows people in Israel. **In the case of The People of Colorado v. Kallman S. Elinioff, Colorado attorney license number 18677, published in January, 2004, The Colorado Lawyer, Volume 33, No. 1, pages 127-128,**

In summer of 2002, Patrick Anene the office of the Presiding Disciplinary Judge of the Supreme Court of Colorado

declared that "rehabilitation" requirement for attorney under suspension is met by volunteering to work in the country of Israel. Patrick Anene Egbune has been in suspension from the practice of law since February, 20, 1999 without legal justification. Patrick Anene Egbune was never told what he needs to do, to meet the "rehabilitation" requirement for reinstatement. He paid for continuing legal education. His legal education and the testimonies of his clients were rejected. Based on this case, Patrick Anene Egbune is being asked to go to a foreign country to work as a volunteer, before he can practice law in a country in which he has citizenship. It is clear what Patrick Anene Egbune is up against. He is not from Israel and knows no one from Israel and has no friends in the United States connected to Israel. The message is clear and understood.

In summer of 2002, Patrick Anene Egbune was attacked at a bus stop on Broadway near the Supreme Court of Colorado building. The individual was a black male accompanied by a white male. The black male inquired as to why Patrick Anene Egbune was challenging the Supreme Court of Colorado about homosexuality. Patrick Anene Egbune did not respond. The black male struck Patrick Anene Egbune on the head and stated that he was a navy seal. The black male raised his leg to kick Patrick Anene Egbune, then observed how serene Patrick Anene Egbune was, he put his leg down and the white male told him to follow him and as they walked away, the black man told Patrick Anene Egbune to go back to Africa, if he is not interested in homosexuality. Probably the persons falsely accusing Patrick Anene Egbune of offenses he did not commit, should themselves face criminal charges. The question is: how did the black person know that Patrick Anene Egbune has a case before the Supreme Court of the State of Colorado and that he takes a bus at the location?

The criminal conducts of those who may be among

those wishing since July 23, 2003 to date, that Patrick Anene Egbune volunteers his time in Israel is not discussed. Patrick Anene Egbune has pursued legal procedures, because that is all he knows and he is law abiding and believes that this is a nation of laws.

The "secret" involvement by the state of Colorado and its instrumentality, using its police power and other powers of the state, and involving members of the family of Patrick Anene Egbune in immoral and illicit sexual conduct, which may therefore have culminated in false charges brought against him as another means of denying him a right he earned by education and passing the required exam, is not fully discussed herein.

On August 24, 2002, for example, Patrick Anene Egbune sent a letter to Honorable John Ashcroft and the Federal Bureau of investigation concerning the illegal activities of **Chuck Odifu Egbune, Esq.** who has a close relationship with **James Sudler** of the Supreme Court of Colorado. Chuck Egbune was able to illegally bring Ikechukwu Egbune to the U. S. A. without his visiting the American Embassy in Nigeria. When he was asked how he got into the U. S. A., Chuck Odifu Egbune, Esq. stated that he has extensive connection in state government and through them to the airline pilots and that he paid money to pilots and officials at the airport in Lagos, Nigeria to allow Ikechukwu to pass and that with his governmental connection here in the U. S. A. and further payments he is able to get him through the airport in Denver, no questions asked. They merely looked at the card and ignore it and the individual walks by. Ikechukwu Egbune is still in the U. S. A. without visa and status. This arrangement for bringing people to the U. S. A. was likely promised to those that may find it lucrative to work against Patrick Anene Egbune on behalf of **James Sudler** of the Supreme Court of the State of Colorado, under the cover of Colorado State power. **The shocking aspect of these facts was the fact that the nation,**

everybody, was mourning the death of people that lost their lives on September 11, 2001. Yet these people have the audacity to demonstrate how airplanes and the United States airspace can be violated through the corruption of government officials.

Emanating from an office under the **Supreme Court of the State of Colorado is Sex, Lies, Crime and Fraud**. This is being directed under the auspices of **James Sudler**. This fact is reported in pain and disappointment A person's wife is trapped to engaged in **humiliating sexual intercourse** in order to become a witness against her husband. If this group can undermine the laws of the United States in other to bring people to the United States to join in **sexual escapade**, imagine what can be concocted against Patrick Anene Egbune. This **corruption is so deeply rooted** that no one dare challenge it in the State. Their victims succumb to the power of the State applied to them. That becomes the end of the matter.

.**Appendix A**, being Order of the Supreme Court of Colorado affirming the decisions of the disciplinary judge to dismiss the Petition for reinstatement, without a written opinion, dated February 6, 2004; **Appendix B**, being the Transcript of part of the colloquy for the dismissal by the disciplinary judge, Supreme Court of Colorado, of Petitioner, Patrick Anene Egbune's Petition for Reinstatement to the active practice of law. [at issue conference, May 27, 2003]; **Appendix C**, being the Inquiry Letter dated June 7, 2003 concerning rehabilitation and cure for failure to provide medical report from Petitioner, Patrick Anene Egbune to James S. Sudler; and **Appendix D,** response to inquiry letter (Appendix C) concerning rehabilitation and cure for failure to provide medical report, Colorado Supreme Court, Attorney Regulation Counsel.

Is it shocking as in Patrick Anene Egbune's case, that a person can be convicted of a crime when established fact shows that he was not at the place of the alleged crime at the time and

the only witness who should know stated **under oath** that the defendant did not commit any crime? In case no. **98-1552** Petitioner Patrick Anene Egbune spent over $800.00 to prepare a transcript of hearing as required by law. The Supreme Court of the State of Colorado denied receiving it. In case no. **01-661** the declaration of a court clerk admitting that the transcript was received was submitted to this court. If a court can get away with denying possession of evidentiary transcript in its custody, known to be in its custody, i.e. hiding evidence, what stops it from engaging in other illegal acts? **When there is no means of correcting the action of government officials that injures people, injustice and corruption will continue unabated.**

Engaging in sexual intercourse with defendants wives, as a means of turning them into witnesses against defendants as exist in Colorado, prosecuting and then sending them to work in Israel or any other country, does not justice make. As has been stated in case no. 03-1394, consider a situation in which the officials of the state are of German, Irish, English, Japanese, Nigerian(African-Americans), Russian, Italian, etc. descent, and these officials holding everyone hostage, require anyone practicing law to enter into voluntary servitude in the country of the official's origin, as a means of demonstrating "rehabilitation" to practice law. If Mr. Giovani sends us to Italia or Mr. Ogbelani sends us to Issele-Uku or Mr. Moye sends us to Issele-Uku or Ireland, how do we react?

REASON FOR GRANTING THE WRIT

This court should grant the writ in order to define the meaning of "rehabilitation" of an attorney under suspension in the state of Colorado or to order the Supreme Court of Colorado to define "rehabilitation" and what it would take after three (3) Petitions to this court, spanning five (5) years, to have

Petitioner who spent his money to attend college and law school and passed the state bar to be reinstated to the practice of law.

CONCLUSION

The actions of the Supreme Court of the State of Colorado are at the minimum, shocking to the conscience. The law requires concluding all disciplinary action in a state before moving for admission in another state, otherwise, there would be no grounds to stay under such despotic, illegal and immoral condition set up in Colorado. James S. Sudler arrogantly states that **the decision of the disciplinary judge is not binding on him or the Attorney Regulation office**. The whole reinstatement proceeding is an exercise in futility.

Petitioner Patrick Anene Egbune is entitled to his licence to practice law because he possesses the intellect, the education, have passed the bar exam and has the moral character required not only of a good lawyer but a good citizen.

Therefore, Petitioner, Patrick Anene Egbune prays this honorable court for a writ of certiorari to the Supreme Court of the State of Colorado.

Respectfully submitted,

Patrick Anene Egbune
818 South Chambers Road, #302
Aurora, Colorado 80017
(303)745-7519

Date: 16th day of April, 2004.

APPENDIX A

ORDER OF THE SUPREME COURT OF COLORADO AFFIRMING THE DECISION OF THE PRESIDING DISCIPLINARY JUDGE WITHOUT WRITTEN OPINION.

DATED FEBRUARY 06, 2004

CASE NO. 03SA169

SUPREME COURT, STATE OF COLORADO
TWO EAST 14th AVENUE
DENVER, COLORADO 80203

ORIGINAL PROCEEDING IN DISCIPLINE
APPEAL FROM THE HEARING BOARD, 03PDJ029

IN THE MATTER OF: PATRICK ANENE EGBUNE

ORDER OF COURT

Upon consideration of the Record on Appeal, together with the briefs filed by the parties, and now being sufficiently advised in the premises,

IT IS ORDERED that Order of the Presiding Disciplinary Judge is AFFIRMED.

BY THE COURT, EN BANC, FEBRUARY O6, 2004.
(SEAL)

Copies mailed via the State's Mail Service Division on 02/09/04 HOP

Patrick Egbune
818 S. Chambers Rd. #302
Aurora, CO 80017

Office of the Presiding Disciplinary Judge
Attn.: Tammy

James Sudler
Attorney Regulation Counsel

APPENDIX B

TRANSCRIPT OF PART OF THE COLLOQUY FOR THE DISMISSAL BY THE DISCIPLINARY JUDGE, SUPREME COURT OF COLORADO, OF PETITIONER, PATRICK ANENE EGBUNE'S PETITION FOR REINSTATEMENT TO THE ACTIVE PRACTICE OF LAW. [AT ISSUE CONFERENCE MAY 27, 2003]

Case 03-PDJ-029

SUPREME COURT OF COLORADO

BEFORE THE DISCIPLINARY JUDGE

PATRICK ANENE EGBUNE'S PETITION FOR REINSTATEMENT TO ACTIVE PRACTICE OF LAW

Tape Recorded

Date: May 27, 2003

Appearance:

Judge Keithley

James Sudler

Patrick Anene Egbune

THE COURT: So, you don't have any evidence of rehabilitation?

MR. EGBUNE: I - what kind of rehabilitation is it that you require me to do?

THE COURT: Just, you know, it's - it's not my function, Mr. Egbune, to tell you what kind of evidence to present. My question was, do you have evidence of **rehabilitation?**

MR. EGBUNE: I don't know what **rehabilitation** means. It is vague to me.

THE COURT: So, I guess the answer is "no"?

MR. EGBUNE: I don't know if it is "no" or "yes." It's vague, it's a vague proposition. Therefore, constitutes constitutionality vague.

THE COURT: So, as you sit here today, you don't have any?

MR. EGBUNE: I don't know what that means, Your Honor. If I do, I will explain it to you, clearly. If there was a rehabilitation requirement stated clearly in statutes or rules, and established procedures as to what you need to do, it would not be difficult for me to go and follow the procedure just like the rule that you are referring to specifically states that this is the way to file a petition for reinstatement.

It seems to me that if there is a rule for rehabilitation, it has to be clearly stated, this is the requirement for - this is what you need to do to establish the obligation. Otherwise, it's so **vague**. I could go down there and play soccer and come back

and say that I'm so fit I'm rehabilitated. I don't know what that means.

Rehabilitation, it's an English word that is so vague and so overwrought that it's constitutionally (unintelligible). If there is anything that the court has specifically said this we need done - clearly specified - and I have not done that, that's the - otherwise, I don't know what rehabilitation is.

THE COURT: Have you read the case, People versus Klein?

MR. EGBUNE: I did read it. And I analyzed the case and I'm sure Mr. Sudler read my Supreme Court of the United States petition. I analyzed the case and felt that it is - based on People versus Klein, I have complied.

MR. SUDLER: Your Honor, I would, at this point, I - I know it should be in writing, but I'm going to move to dismiss the petition. It doesn't - it doesn't meet the standards of the rules. And if the court would like for me to put that in written motion, I'll do so.

THE COURT: No. I'll accept the oral motion. **Motion's granted**. I will give you ten days within which to file a verified petition that complies with the rule that requires that you set forth those facts upon which you intend to rely to establish **rehabilitation, fitness to practice law, and compliance with all prior disciplinary orders.**

MR. SUDLER: Your Honor, may I also ask that the court take note - not notice - but take note that there is prior order of disability in this - in Mr. Egbune's case that did come up in a prior reinstatement proceeding?

THE COURT: I'm aware of that, that there is a prior order and there is - the position of the people is that Mr. Egbune has not complied with those disability orders.

MR. SUDLER: At this time, I don't know of any evidence -

THE COURT: Okay.

MR. SUDLER: -that would be my position.

CERTIFICATE

I, Patricia D, Thiel, Notary Public within and for the State of Colorado, do hereby certify:

That the foregoing proceedings were transcribed from an audio recording and thereafter reduced to typewritten form under my supervision, and that the same is, to the best of my ability, a true and correct transcription of the proceedings as I was able to hear them on the audio recording made available to me for re-recording and transcription;

That I am not related to or in any way associated with any of the parties to said case or action, or their counsel, and that I am not interested in the event thereof.

In witness whereof, I have affix my signature and seal this 28th day of August, 2003.

My commission expires November 4, 2003.

Signed

_____

Patricia D. Thiel, Transcriber

NOTARY
PUBLIC
Seal

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APPENDIX C

INQUIRY LETTER CONCERNING REHABILITATION

Patrick Anene Egbune
818 South Chambers Road, #302
Aurora, Colorado 80017
Telephone: (303)745-7519

June 7, 2003

Certified Mail No.: 7002 2030 0000 5194 1415

Mr. James S. Sudler.
600 17th Street, Suite 200-South
Denver, Colorado 80202

Dear Mr. Sudler:

This letter may confirm that at about 11:00 a. m., on Tuesday, June 3, 2003, I called your office and spoke to you. Specifically, I discussed the issue of my petition for reinstate to the practice of law which was dismissed by the disciplinary judge. The judge discussed the need to deal with the issue of rehabilitation and also the fact that your office indicated that I did not provide it with quarterly statement of my medical report.

I reiterated my good faith statement that the "rehabilitation" requirement is Constitutionally vague since nobody knows what "rehabilitation" program meets your office's requirement and that to the best of my knowledge, I have complied with the information in existence in case law. **You did state that the decision of the disciplinary judge is not binding on your office**. This led to my stating again, my position that the rehabilitation requirement is vague and violates due process.

I suggested a stipulation that would advise me as to what your office considers rehabilitation in my case. I informed you that judges in all courts have guidelines as to what is needed in all sentencing procedure. Mere statement of "rehabilitation" is vague. You indicated that your office had stipulated with other attorneys as to what is required for "rehabilitation".

You mentioned some programs that you believe may be acceptable for my case, but you agreed to review my file and call to inform me as to your office's position. Since I did not hear from you, I thought I write this letter as a reminder and hope that you will in writing inform me as to what your office will consider "rehabilitation" in my case and how to **cure your office's need to have my medical report when I am not practicing law,** for the purpose of filing my petition for reinstatement. Thank you.

Sincerely yours,

Signed

_____

Patrick Anene Egbune

APPENDIX D

RESPONSE TO INQUIRY LETTER CONCERNING REHABILITATION

COLORADO SUPREME COURT
ATTORNEY REGULATION COUNSEL

(Oval insignia)

Attorneys' Fund for Client Protection
Unauthorized Practice of Law

Regulation Counsel
John S. Gleason

Chief Deputy Regulation Counsel
Nancy L. Cohen

Deputy Regulation Counsel
James C. Coyle

Assistant
Regulation Counsel

Terry Bemuth
Stephen R. Fatzinger
Luain T. Hensel
Kim E. Ikeler
Debora D. Jones
Fredrick J. Kraus
Matthew A. Samuelson
Gregory G. Sapakoff
Louise Culberson-Smith
James S. Sudler
Andrew D. Synchef

June 10, 2003

Patrick A. Egbune
818 South Chambers Road, #302
Aurora, CO 80017
Dear Mr. Egbune:

Thank you for your letter of June 7, 2003, which I received on June 9, 2003. I have not yet had a chance to call you after your request that you have documented in your letter.

I do not know that we will ever be able to enter into a stipulation with you, however I do not preclude that possibility.

You asked me to tell you what I thought might be acceptable as far as rehabilitation is concerned. I agree with you that it is difficult to determine in some situations what rehabilitation would be. However, that does not mean that I agree with you that there is some constitutional infirmity about the rule and the requirement that you prove by clear and convincing evidence rehabilitation.

My view is that you need to show rehabilitation from all of the misconduct that was found against you in all of the proceedings. Specifically, I think the most serious misconduct in all the cases against you was the sexual assault of your client. As you know, that led to a finding that you violated Rule 8.4(b). You will need to show by clear and convincing evidence that you have been rehabilitated from misconduct. In the past, you have failed to acknowledge that the hearing board found that

you committed this act and therefore you are unwilling to engage in any rehabilitation efforts.

My thought is that you should find a program that is administered to persons who have been found guilty of sexual assault, particularly with regard to relationships such as that of an attorney-client. If I were you, I would contact the Denver District Court Probation Department or the Arapahoe County District Court Probation Department to see if they have any suggestions about programs you could take. Additionally, as I suggested to you on the telephone, you may want to contact an organization known as AMEND. The information I have for an office of AMEND near you is the following:

AMEND
6565 South Dayton Street
Englewood, CO 80111
303-220-1911

I cannot enter into any sort of agreement with you that if you participate with AMEND or any other organization that we will stipulate to your reinstatement. However, I do believe that such a rehabilitation program is necessary.

You were also found to have been incompetent, to have made a false statement of fact to a tribunal with a recklessness of mind, failed to comply with discovery requests and other misconduct in the matter with Mr. Cockerille. I believe it is important for you to find some sort of continuing legal education program that specifically addresses competence and civil procedure matters, investigation of counter-claims, and representation of a parent in a matter in which there are GAL expenses. Additionally, I think it is important that you find a continuing legal education course concerning your compliance with Rule of Professional Conduct 1.15. The office of Attorney

Regulation Counsel does run a CLE called Trust Account School and you can contact Patti Panfil at (303)893-8121 ext 311 to register for that course.

Additionally, the hearing board in the Cockerille matter found that you violated Colorado Rule of Professional Conduct 1.5(a) about reasonable fees. You will need to show somehow that you have been rehabilitated from that misconduct. You might want to look for CLE course that has to do with fees and fee agreements.

You have to understand that I am not your attorney and that the thoughts expressed herein are not advice to you. All along, I have suggested to you, as did the Presiding Disciplinary Judge, that it would be appropriate and advisable for you to hire your own attorney. That attorney could definitely advise you as to what steps you should take to rehabilitate yourself. My concern is that you might take some of the steps I have outlined here as conditions upon which my office will then definitely stipulate to your reinstatement. I make no such representation. I am more concerned that you engage in these rehabilitation efforts sincerely rather that for the sake of compliance.

You should be advised that a number of attorneys have proven to a hearing board that they were rehabilitated.

Very truly yours,

Signed
James S. Sudler
Assistant Regulation Counsel

JSS/jdw